IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2666 OF 2004
IN
APPEAL NO. 783 OF 2004
IN
CHAMBER SUMMONS NO.502 OF 2003
IN
SUIT NO.704 OF 1993

M/s. Worldwide Management Consultants Pvt. Ltd.

....Appellants.

Vs.

Shanti Glopalkrishnan and ors.

....Respondent No.1.

Mr. N.G.Thakkar with Mr. R. Pandey for Appellants.

Mr. V.B. Naik i/by M/s. Pramodkumar and Co. for the Respondent No.1.

Mr.S.R. Mishra for Respondent No.2.

Mr. Sean Wasoodew i/by K.N.S. Pillai for Respondent Nos. 3 and 4.

CORAM: H.L.GOKHALE &
R.S.MOHITE, JJ.
DATED: 30/11/2004.

P.C.

1. Mr. N.G.Thakkar has taken out this notice of motion. The motion seeks a modification of the order in view of the liberty given in order dated 6.10.2003 and that the appellants be allowed to deposit sum of Rs.3000/- towards the monthly rent in view of the order passed on 6.5.2004 by the Small Causes Court in RAN Suit No.62/SR/2003. It is submitted by Mr. Thakkar that this application has been made in pursuance to the

liberty granted by this bench in Paragraph 7 of the order dated 6.10.2003 in Appeal No.783 of 2003. In this paragraph we have recorded the statement of Mr. Kapadia, learned counsel for the appellants that the appellants intends to move an appropriate proceeding before the court of Small Causes for fixation of standard rent. Thereafter, we have stated that the proceeding will be decided on its own merits and it will be open to the appellants to move this court thereafter in the event any order favourable to the appellants is passed in that proceeding. It is in pursuance of these observations the present motion has been taken out.

2. We clarify that when we stated that it will be open to the appellants to move this court it was meant that the learned Judge who is seized with the jurisdiction of the suits will be moved. Appeal itself has been disposed of by that very order. Accordingly, motion is disposed of.

3. All concerned to act on a copy of this order duly authenticated by the Associate/C.S. of this court.

(H.L.GOKHALE, J.)

(R.S. MOHITE, J.)